

104TH CONGRESS  
2D SESSION

# H. R. 2135

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 5, 1996

Received; read twice and referred to the Committee on Energy and Natural  
Resources

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## AN ACT

To provide for the relief of certain persons in Clark County,  
Nevada, who purchased lands in good faith reliance on  
existing private land surveys.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. FINDINGS.**

4       The Congress finds and declares that:

1           (1) Certain landowners in the (North) Decatur  
2           Boulevard area of Las Vegas and North Las Vegas,  
3           Clark County, Nevada, who own property adjacent  
4           to lands managed by the Bureau of Land Manage-  
5           ment have been adversely affected by certain erro-  
6           neous private surveys.

7           (2) These landowners have occupied or im-  
8           proved their property in good faith and in reliance  
9           on erroneous surveys of their properties that they  
10          believed were accurate.

11          (3) These landowners presumed their occupancy  
12          was codified through an Eighth Judicial District  
13          Court (Nevada) Judgment and Decree filed October  
14          26, 1989, as a “friendly lawsuit” affecting numerous  
15          landowners in the (North) Decatur Boulevard area.

16          (4) The 1990 Bureau of Land Management de-  
17          pendent resurvey and section subdivision of sections  
18          6, 7, 18, and 19, T. 19 S., R. 61 E., Mount Diablo  
19          Meridian, Nevada, correctly established accurate  
20          boundaries between such public lands and private  
21          lands.

22          (5) The Bureau of Land Management has the  
23          authority to sell public lands which are affected as  
24          a result of erroneous private survey and encroach-  
25          ments existing as of the date of this Act as it affects

1 T. 19 S., R. 61 E., sections 18 and 19, and T. 19  
2 S. R. 60 E., section 13 and 24, if encroachments  
3 based on the same erroneous private survey are  
4 identified, in accordance with this Act.

5 **SEC. 2. CONVEYANCE OF LANDS.**

6 (a) CLAIMS.—Within one year after the date of the  
7 enactment of this Act, the city of Las Vegas on behalf  
8 of the owners of real property, located adjacent to the  
9 lands described in subsection (b), may submit to the Sec-  
10 retary of the Interior (hereafter in this Act referred to  
11 as the “Secretary”) in writing a claim to the lands de-  
12 scribed in subsection (b). The claim submitted to the Sec-  
13 retary shall be accompanied by—

- 14 (1) a description of the lands claimed;  
15 (2) information relating to the claim of owner-  
16 ship of such lands; and  
17 (3) such other information as the Secretary  
18 may require.

19 (b) LANDS DESCRIBED.—The lands described in this  
20 subsection are those Federal lands located in the Bureau  
21 of Land Management Las Vegas District, Clark County,  
22 Nevada, in sections 18 and 19, T. 19 S., R. 61 E., Mount  
23 Diablo Meridian, as described by the dependent resurvey  
24 by the Bureau of Land Management accepted May 4,  
25 1990, under Group No. 683, Nevada, and subsequent sup-

1 plemental plats of sections 18 and 19, T. 19 S., R. 61  
2 E., Mount Diablo Meridian, as contained on plats accepted  
3 November 17, 1992. Such lands are described as (1) gov-  
4 ernment lots 22, 23, 26, and 27 in said section 18; and  
5 (2) government lots 20, 21, and 24 in said section 19,  
6 containing 29.36 acres, more or less.

7 (c) CONVEYANCE.—The Secretary shall convey all  
8 right, title, and interest of the United States in and to  
9 the public lands described in subsection (b) to the city of  
10 Las Vegas, Clark County, Nevada, upon payment by the  
11 city of fair market value based on a Bureau of Land Man-  
12 agement approved appraised market value of the lands as  
13 of December 1, 1982, and on the condition that the city  
14 convey the effected lands to the land owners referred to  
15 in subsection (a).

Passed the House of Representatives September 4,  
1996.

Attest:

ROBIN H. CARLE,

*Clerk.*